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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/077,086	02/15/2002	Taro Suga	02090/TL	3499	
1933	7590 02/02/2005		EXAMINER		
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 767 THIRD AVENUE			VERBITSKY, C	VERBITSKY, GAIL KAPLAN	
25TH FLOOR	· · · -		ART UNIT	PAPER NUMBER	
NEW YORK, NY 10017-2023			2859		
			DATE MAILED: 02/02/2003	5	

Please find below and/or attached an Office communication concerning this application or proceeding.

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### Country Co	Advisory Action	10/077,086	SUGA, TARO					
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0.☑ Other: <u>See Continuation Sheet</u>	9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)							
	0.⊠ Other: <u>See Continuation Sheet</u>							

Continuation of 10. Other: Applicant states that the present invention describest the temperature sensorthat has only a single wedge shaped casing. This argument is not persuasive because this limitation (only a single wedge shaped casing) is not stated in claim 1. It is the claims that define the claimed invention, and it is claims, not specification that are anticipated or unpatentable. Constant v. Advanced Micro-Devices, Inc., 7 USPQ2d 1064. In addition, Applicant states that Mears discloses a plurality of dissociated wedge shaped portions, as apposed to the present invention. This argument is not persuasive because Mears discloses a device/ temperature sensor comprising a plurality of single wedge shaped casings (note, each casing of the temperature sensor 100 of Mears has only one wedge/ single wedge). Since the limitation stating the "single wedge shaped casing" has not been properly described in the specification (see paragraph 4 of the Office action (final rejection), such that to make it distinct from the device disclosed by Mears, the Examiner, using a broadest reasonable interpretation, interpreted that Applicant does not rule out a plurality of casing, however each casing must comprise only a single wedge.

6. Verlistour